

Committee of Adjustment: Terms of Reference Amendments

Type	Previous Terms of Reference	Proposed Amendments
Format (by sub-headings)	<ol style="list-style-type: none"> 1. Composition 2. Term of Office 3. Remuneration 4. Frequency of Meetings 	<ol style="list-style-type: none"> 1. Name 2. Reports to 3. Status 4. Established 5. Enabling Legislation/ Authorizing By-law 6. Mandate 7. Deliverables 8. Strategic Plan Linkages 9. Committee Composition and Staff Resources 10. Qualifications 11. Frequency of Meetings 12. Budget Consideration 13. Work Plan 14. Remuneration 15. Term of Office 16. Committee Review/ Sunset Date
Mandate	<p>The Newmarket Committee of Adjustment considers applications from property owners for minor variances from the provisions of the zoning by-laws of the Municipality. The Committee also considers applications to sever or divide land. Council does not ratify the decisions of the Committee. If any individual (or the Town Council) wishes to appeal a decision of the Committee, it must do so to the Ontario Municipal Board.</p>	<p>The Newmarket Committee of Adjustment is a quasi-judicial body that considers applications from property owners. Council does not ratify the decisions of the Committee. If any individual (or the Town council) wishes to appeal a decision of the committee, it must do so to the Ontario Municipal Board.</p> <p>The Committee will be responsible considering applications for the following:</p> <ul style="list-style-type: none"> • Minor Variances from the provisions of the Zoning By-law • Extensions, enlargements or variations of existing legal non-conforming uses under the Zoning By-law • Land Division (severing a new lot from an existing lot, adding land to an existing lot, easements, mortgages or leases in excess of 21 years) • Minor Variances from the provisions of the fence By-law • Minor Variances from the provisions of the sign By-law • Determine whether a particular use conforms with the provisions of the Zoning By-law where the uses of land, building or structures permitted in the by-law are defined in general terms.

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Composition/ Committee Composition and Staff Resources	The composition of the Committee is five citizen members and one citizen alternate.	<p>The Committee of Adjustment will be composed of:</p> <ul style="list-style-type: none"> • Five (5) residents. • One (1) resident alternate <p>The Committee of Adjustment will be supported by:</p> <ul style="list-style-type: none"> • Planning Staff
Term of Office	Expiring November 30th, 2010.	A Member’s term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee’s Mandate, or until a successor is appointed
Remuneration	<p>Chair- \$90.00 per meeting</p> <p>All other members- \$75.00 per meeting.</p>	<ul style="list-style-type: none"> • Chair \$90.00 per meeting. • Member \$75.00 per meeting
Frequency of Meetings	At least once each month on a weekday morning.	<ul style="list-style-type: none"> • Once (1) per month as required, during the day.
Deliverables	Not Included.	<p>The Committee will accomplish its mandate by:</p> <ul style="list-style-type: none"> • Reviewing the merits of the application, the documentation and evidence put forward and rendering decisions on the applications, in accordance with the requirements of the Planning Act. • Hearing presentations from property owner(s), applicants, or authorized agents(s) • Making a decision based on the presentation by the property owner (s), authorized agent(s), and the staff report to the Committee of Adjustment. • Approving, refusing, tabling, deferring or modifying the recommendations of the staff report to the Committee of Adjustment.

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Strategic Plan Linkages	Not Included.	<p>This mandate meets the following Corporate Strategic Goals:</p> <ul style="list-style-type: none"> • <i>Well-equipped and managed</i>: By ensuring an ideal mix of residential, commercial, industrial and institutional land use. <p>This mandate meets the following Council Strategic Priorities:</p> <ul style="list-style-type: none"> • <i>Efficiency/ Financial Management</i>: By ensuring effective and efficient services.
Qualifications	Not Included.	<p>Consideration shall be given to inclusion of the following qualifications during the appointment process:</p> <ul style="list-style-type: none"> • Residents/property owners • Commitment and interest in the Community • Persons with knowledge of planning • Persons with knowledge of building • Knowledge and interest in the subject area; • Skills functioning as members of a team; • Problem solving skills, interpersonal communication skills; • Facilitation skills
Budget Consideration	Not Included.	<p>The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.</p>
Work Plan	Not Included.	<p>A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the fourth (4th) quarter annually.</p>

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Committee Review/ Sunset Date	Not Included.	Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee
Legislation	Not Included.	<p>The Committee of Adjustment is authorized under the <i>Planning Act R.S.O, c. P.13, s.44 (1)</i> and By-law Number 1971-2.</p> <p>The Committee of Adjustment is required to adhere to the provisions outlined in the Town's Procedural By-Law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.</p>